

Message Text

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PAGE 01 STATE 228356
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TAGS: SHUM, MU

SUBJECT: DRAFT OF HUMAN RIGHTS REPORT FOR OMAN

REF: STATE 207310

1. FOLLOWING IS THE DRAFT OF THE UNCLASSIFIED HUMAN RIGHTS REPORT TO THE CONGRESS FOR OMAN FOR 1978. EMBASSY COMMENTS, CORRECTIONS, AND ESPECIALLY UPDATING ARE REQUESTED BY NEA/ARP AS SOON AS POSSIBLE. THIS DRAFT HAS BEEN CLEARED IN ARP AND IS BASED ON THE AGREED FINAL REPORT FOR LAST YEAR. ARP NEEDS EMBASSY COMMENTS NOT LATER THAN COB SEPT. 12.

2. BEGIN DRAFT REPORT: UNTIL THE PRESENT SULTAN SEIZED POWER FROM HIS FATHER IN 1970, OMAN WAS GENERALLY CONSIDERED TO HAVE THE MOST AUTHORITARIAN AND REACTIONARY GOVERNMENT IN THE ARABIAN PENINSULA. SINCE THAT DATE, DESPITE THE SERIOUS THREAT TO OMAN'S SURVIVAL POSED UNTIL 1976 BY THE DHOFAR INSURGENCY, THE SULTANATE HAS MADE
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PAGE 02 STATE 228356

SUBSTANTIAL PROGRESS IN PROVIDING ITS CITIZENS A FREER AND MORE PROSPEROUS LIFE. THE DHOFAR CONFLICT, MOUNTED BY INDIGENOUS LEFTISTS SUPPORTED BY IRREGULAR FORCES FROM THE NEIGHBORING PEOPLE'S DEMOCRATIC REPUBLIC OF YEMEN, HAS ENDED AFTER SEVERAL YEARS OF FIGHTING.

3. RESPECT FOR THE INTEGRITY OF THE PERSON, INCLUDING
FREEDOM FROM:

A) TORTURE. THE OMANI CRIMINAL CODE PROHIBITS THE USE
OF TORTURE AND THIS PROHIBITION SEEMS TO HAVE BEEN
OBSERVED IN PRACTICE.

B) CRUEL, INHUMAN OR DEGRADING TREATMENT OR PUNISHMENT.

IN THE EARLY 1970S, THERE PROBABLY WERE ISOLATED IN-
STANCES OF CRUEL, INHUMAN OR DEGRADING PUNISHMENT IN
CONNECTION WITH THE DHOFAR INSURGENCY. THERE ARE NO
RECENT REPORTS OF SUCH PRACTICES.

C) ARBITRARY ARREST OR IMPRISONMENT. THE OMANI CRIMINAL
CODE PROHIBITS ARBITRARY ARREST. CITIZENS CAN PETITION
THE COURTS AND THE SULTAN FOR REMEDY OF VIOLATIONS OF
THEIR RIGHTS. THE POWER OF THE STATE TO ARREST AND
DETAIN IS DEFINED BY LAW. VIOLATIONS OF THE LAW MAY NOT
COME TO OUR ATTENTION, ALTHOUGH THEY MAY OCCASIONALLY
TAKE PLACE.

D) DENIAL OF FAIR PUBLIC TRIAL. FAIR AND PUBLIC TRIALS
ARE PROVIDED FOR IN BOTH TRADITIONAL ISLAMIC LAW AND THE
NEW CRIMINAL CODE. U.S. GOVERNMENT OFFICIALS ATTENDING
SESSIONS OF BOTH ISLAMIC AND POLICE COURTS FOUND THE
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PAGE 03 STATE 228356

PROCEDURES TO BE IN ACCORDANCE WITH LAW.

E) INVASION OF THE HOME. WARRANTS ARE NOT REQUIRED FOR
POLICE SEARCHES OF PRIVATE PREMISES. SUCH SEARCHES ARE
INFREQUENT.

4. GOVERNMENTAL POLICIES RELATING TO THE FULFILLMENT OF
SUCH VITAL NEEDS AS FOOD, SHELTER, HEALTH CARE AND
EDUCATION.

SINCE 1970 THE OMANI GOVERNMENT HAS FOLLOWED LIBERAL
POLICIES IN PROVIDING FOR BASIC NEEDS FOR THE POOR AND
IN SUPPORTING EDUCATION. MODEST OIL RESERVES AND HEAVY
DEFENSE EXPENDITURES DURING THE DHOFAR INSURGENCY LIMITED
THE FINANCIAL RESOURCES AVAILABLE FOR SOCIAL WELFARE.

OMAN IS EMERGING FROM BACKWARDNESS AND POVERTY AS A RESULT
OF ITS RECENT OIL WEALTH. SUBSTANTIAL DISPARITIES OF
WEALTH BETWEEN THE MERCHANT CLASS AND THE REST OF THE

POPULATION EXIST. IT IS IMPOSSIBLE TO DISMISS THE PER-
SISTENT ALLEGATIONS OF BRIBERY IN THE AWARDING OF

GOVERNMENT CONTRACTS; IT IS EQUALLY IMPOSSIBLE TO DETERMINE THE EXTENT TO WHICH RESOURCES ARE THEREBY SIGNIFICANTLY DIVERTED FROM THE POOR. IN THE LAST YEAR, THE GOVERNMENT HAS MOVED AGAINST ONE CASE OF FINANCIAL MALFEASANCE BY GOVERNMENT OFFICIALS.

5. RESPECT FOR CIVIL AND POLITICAL LIBERTIES, INCLUDING:

A) FREEDOM OF THOUGHT, SPEECH, PRESS, RELIGION, AND ASSEMBLY.

OMAN REMAINS A TRADITIONAL SOCIETY. THERE IS NO NATIONAL ASSEMBLY. FREEDOM OF THE PRESS, OR ASSEMBLY, AND OF SPEECH IS CIRCUMSCRIBED. THERE ARE NO RESTRICTIONS ON LIMITED OFFICIAL USE

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PAGE 04 STATE 228356

RELIGIOUS PRACTICES. ALTHOUGH LABOR ORGANIZATIONS ARE NOT EXPRESSLY FORBIDDEN, OMAN HAS NO ORGANIZED LABOR MOVEMENT.

OMANI WOMEN HAVE ONLY RECENTLY BEGUN TO EMERGE FROM TRADITIONAL ISOLATION AND ARE NOT YET ACTIVE IN PUBLIC LIFE.

B) FREEDOM OF MOVEMENT WITHIN THE COUNTRY, FOREIGN TRAVEL AND EMIGRATION. OMANIS MAY TRAVEL FREELY THROUGHOUT THE COUNTRY EXCEPT IN THE DHOFAR AREA. OMANIS MAY ALSO EMIGRATE AND TRAVEL ABROAD FREELY.

C) FREEDOM TO PARTICIPATE IN THE POLITICAL PROCESS. THERE ARE NEITHER POLITICAL PARTIES NOR ELECTIONS IN OMAN. CITIZENS HAVE ACCESS TO GOVERNMENT LEADERS THROUGH PERSONAL APPEAL, WHICH IS SANCTIONED BY ISLAMIC AND TRIBAL PRACTICE. OMAN REMAINS ESSENTIALLY CONSERVATIVE IN ITS RECOGNITION OF POLITICAL RIGHTS.

6. GOVERNMENT ATTITUDE AND RECORD REGARDING INTERNATIONAL AND NON-GOVERNMENTAL INVESTIGATION OF ALLEGED VIOLATIONS OF HUMAN RIGHTS.

GIVEN OMAN'S CULTURAL TRADITIONS AND HISTORY, THE PRESENT GOVERNMENT REPRESENTS A DRAMATIC STEP TOWARDS ENLIGHTENED RULE. THE GOVERNMENT SUPPORTS ECONOMIC DEVELOPMENT AND MODERNIZATION OF OMANI SOCIETY. THE GENERAL CONDITION OF SOCIAL AND POLITICAL FREEDOM IS MUCH IMPROVED.

INTERNATIONAL CONCERN HAS NOT GENERALLY FOCUSED ON HUMAN RIGHTS IN OMAN. THE GOVERNMENT DID REFUSE TO RECEIVE A PROPOSED AMNESTY INTERNATIONAL MISSION IN 1972 WHEN THE DHOFAR INSURGENCY WAS AT ITS PEAK. FREEDOM HOUSE HAS LIMITED OFFICIAL USE

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PAGE 05 STATE 228356

PLACED OMAN IN THE "NOT FREE" CATEGORY. END OF DRAFT
REPORT. CHRISTOPHER

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